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BRIEF: HOUSING INTENSIFICATION STUDY

Prepared by: Citizens for Citizens Ward 3

To: Mr. A. L. Georgieff
Director of Local Planning Department
City of Hamilton

October 1, 1990

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DEDICATION PAGE

This Brief is dedicated to the residents of Ward 3.

Special thanks to the following individuals:

Brian Hinkley	Alderman, Ward 3
Don Drury	Alderman, Ward 3
Clementina D'Onofrio	Secretary
Rita D'Ortenzio	Secretary

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INTRODUCTION

BACKGROUND:

Ward 3, with its variety of housing, has long served the housing needs for Hamilton. As a result of high demand and City Hall's inability to expand its housing policy of conversion away from the pre-1940 area, Ward 3 has become saturated with conversion, upsetting the single family nature of the community. Another problem has been that City Hall has turned a blind eye to illegal conversions, mainly owned by absentee landlords. The inspection department has been totally ineffective in stemming the flow of illegal uses. Hiding behind "right to entry" regulations and seemingly believing every fabrication an owner gives, they have lost their credibility completely.

Residents of Ward 3 had been hoping City Hall would take some action to relieve the pressure on families to sell and move away. We were shocked to learn of Housing Intensification which would relax laws already not enforced. Hence in March 1990, a group of long-term concerned residents of Ward 3 formed a committee called Citizens for Citizens to review the Housing Intensification Study, the Draft Report and then put forth our recommendations.

At the start of our research in April, we found approximately 1000 vacant units. Now, seven months later, there are approximately 1,300 vacant units. It is difficult to see where intensification is needed, especially when the study indicates that population numbers are static and may drop over the next ten years.

OBJECTIVES:

To review the background study and draft proposal put forth by Planning and Development.

To determine the compatibility of the study findings with the needs of Ward 3.

To examine the current situation as to the needs of the residents, owners and renters.

To put forth recommendations that will see the area stabilize by the enforcement of by-laws and retaining mixed uses.

STUDY AREA:

Ward 3 borders Wellington Street to the west and Ottawa Street to the east - with the exception of an area south of Main Street from Wellington Street to Wentworth Street which is in Ward 2 outlined on map Appendix A- and extends north from the escarpment to the bay. The residential housing is set out in "C" zones which allow conversion to duplexes and "D" zones which allow conversion to triplexes as well as other uses. There is also a variety of commercial and industrial zones in the Ward with commercial strips along Main Street, King Street, Barton Street, and Ottawa Street.

BACKGROUND ON WARD 3:

Ward 3 has one of the largest varieties of housing in the city. Houses range from small frame cottages to large Victorian 2-1/2 storey brick homes. Most of the housing stock was built prior to 1940. Many houses have been upgraded and have been well maintained over the years.

Some of the finest quality turn-of-the-century homes in the city can be found in the St. Clair Avenue Heritage District between Main Street and Delaware Avenue. Interesting architectural styles and features can be found right across the Ward.

From 1940 to the mid-70's, many home owners added apartments in their homes to supplement incomes. As these owners started to sell in the mid-70's, the trend changed from owner occupiers to investors buying the homes for investment income. The investors also bought single family homes and converted them (most illegally) to multiple units. This trend continues today with virtually all the converted homes owned by investors. Only about 30% of the homes in the area south of Cannon Street remain unconverted. At the present rate of conversion and with the pressure put on single families by conversion, it is estimated that only about seven years of conversion are left before the single family nature of the Ward is lost completely. This situation is contrary to the City of Hamilton's Official Plan (Section 2.1.8) which states that "Variety of housing styles, types and densities, be available in all residential areas of the city." By not enforcing the Official Plan through its by-laws and maintaining stable and balanced neighbourhoods, the City of Hamilton is designing the decline of the inner city.

A REVIEW OF THE NEIGHBOURHOOD STUDIES:

The Studies were taken in three areas of the city; Homeside, Bruleville, and Beasley. These areas are outside the areas where conversion has been taking place. The direction of conversion has been away from these areas because house sizes there are too small.

The areas studied have not experienced conversion nor the problems which it causes such as inadequate parking space, overcrowding, neighbourhood confrontations and inaccessible absentee landlords.

It was noted in the Studies that 698 people responded; only 41 of these people said they would stay in their homes if they converted. The study indicates that these 41 people represent the actions of 88.9% of the people of Hamilton. Although a ridiculous assumption, the figure is used a number of times in the Study. How could this information relate to Ward 3 where 70% of the homes are already converted?

It is easy to see by the above information that the Study has no relevant information for the pre-1940 area or Ward 3 that has already been converted.

The attempt to extrapolate information from the Study and implement it in Ward 3 is ridiculous.

STUDY INFORMATION REQUIRED FOR WARD 3 INTENSIFICATION:

- 1) Housing stock figures calculated in percentages for singles, semis, duplexes and triplexes. Not available.
- 2) Total number of rental units in Ward. Not available.
- 3) Number of illegal units in Ward.

An estimate of 10,000 illegal units was given of the whole city. This figure was taken from a Study done by former Minister of Housing, Claude Bennett, in 1981 - nearly a 10-year-old figure.

- 4) Vacancy rate of converted apartments. Not available.
- 5) Average rents of converted units to calculate affordability.
Not available.

- 6) Parking problems as they presently exist in the Ward and the impact of the increased need for parking with further intensification.
Not available.
- 7) The impact and control of the loss of green space and trees to front yard parking. Not available.
- 8) A plan to enforce and improve by-laws to deal with illegal conversions and property standards. Not available.
- 9) A list of arterial road sites, i.e. unused commercial space which could be utilized for housing. Not covered.
- 10) A list of infill sites, vacant lots, old factories, under-utilized transitional uses. Not covered by Study.
- 11) Information which shows the rationale and need for 431 square foot units and the number required in Ward 3 to fulfill this need.
Not covered by Study.
- 12) Information collected in Ward 3 for the intensification study.
NONE!

SPECIFIC ISSUES:1. LIVING SPACE REDUCTION (431 Square Feet)

All the Studies to which our Committee had access (see Bibliography) advised larger living space, not smaller. Any proliferation of small, cramped units will create unstable neighbourhoods, because tenants will not remain for long in inadequate accommodations.

Young couples, who need room for entertaining, do not want units that are too small. Due to the high cost of housing, they are forced to rent longer and want to be comfortable with their apartments.

Senior citizens especially need privacy and separation within their units. They also require space for their prized possessions. Most of the smaller units to be created through conversion will be attic apartments, completely inaccessible to seniors.

Storage space in a 431 square foot unit is limited; possessions tend to flow out onto porches, fire escapes and around buildings, causing clutter and fire hazards.

Children in small units are forced to play on the road, especially when front lawns and backyards are used for parking.

Confined living conditions add to stress which in turn exacerbates such problems as vandalism and drug abuse.

Governments favour the most cost-effective means of creating housing when distributing funds. Organizations will have to create more, smaller units which in the government's view become the "standard unit", forcing more people into housing they do not want.

Small units can cause the loss of some forms of affordable housing.

The Bachelorette Study¹ stated that the conversion of rooming houses to the smaller 400 square foot units caused the loss of shelter-type housing for the most needy of the community, as landlords found it more lucrative to operate these units than the boarding houses.

The minimum apartment size should not be dropped to 431 square feet. It should remain at the present 700 square feet.

During the 1970's, 400 square foot units were allowed in Toronto. These were called Bachelorettes.

Investors bought large homes and converted them into small units. Most were illegal; some were as small as 200 square feet.

These units were occupied by young singles or couples who enjoyed parties. Since the units were so small, parties flowed out onto porches and fire escapes, creating confrontations with family, renters, and homeowners.

Parking, already congested, worsened beyond the crisis point.

Most of the bachelorette units were owned by absentee landlords. Deterioration and garbage buildup in parking areas and yards was common.

Buildings were altered, extensions were added with little regard to conformity with the neighbourhood. Most of these alterations were illegal.

¹Bureau of Municipal Research, A Case for Bachelorettes (Toronto: 1982).

City Hall turned a blind eye to the problem. The grossly understaffed inspection department made only minimal attempts to enforce the by-laws and stated that without right of entry they could do little.

Finally, Toronto found the political will to handle the problem after continual pressure from citizens' groups. A task force was set up, additional special inspectors were hired, unit size was increased from 400 square feet to 700 square feet, landlords were charged, and buildings were deconverted, all at a huge cost to taxpayers.

SUMMARY:

Seniors require more than 400 square feet; units of this size or less could cause the loss of other forms of affordable housing for the needy; and the results of the Bachelorette Study proved that the 400 square foot apartment was not viable in Toronto and the 700 square foot unit was reinstated.

2. AFFORDABLE HOUSING

"Units created through alterations to the existing housing stock to create Accessory Apartments ... are not considered part of the target for Affordable Housing; ..." (Page 12 of Increasing Housing Choices, Ministry of Municipal Affairs and Housing).

Conversion, therefore, cannot be used to create the twenty-five percent affordable housing requirement as stipulated by the Ministry. Infill and new development are required. The existing density of each area targeted, however, must be considered.

Those earning less than \$20,000 could not afford to pay the Ward 3 median price of \$700/month/unit. According to Walter Mulkewich, Executive Director of the Housing Help Centre, Hamilton/Wentworth, these are the people with the greatest need and these are the people whose housing needs are not met by conversion. The private sector is unable to provide affordable housing for them. Their needs must be met by government or third sector suppliers.

During our interviews throughout the neighbourhoods, we found that people with incomes in excess of \$30,000 would also have difficulty in affording the rents of converted units.

Many small attic units have been created illegally over the past five years. They are expensive and rent at \$150/month more than a bachelor unit in an apartment building. There is no evidence to support Study statements that reducing apartment size will make units more affordable.

House prices in Ward 3 have risen substantially in the past six years due to the great number of homes converted (often illegally) into investment properties. More and more, young couples who wish to purchase an older home as a starter home are being forced out of the market. Social agencies find it necessary to pay inflated prices to achieve their housing objectives.

Reducing the unit size requirement will further spiral housing prices upward and increasingly pressure single-family home owners into selling and moving away.

SUMMARY:

Conversion will not create truly affordable housing.

3. PRE-JULY 25, 1940 HOUSING

We quote the Ministry of Housing, Increasing Housing Choices,
Page 20:

Restrictions on the age of dwelling and general locations
where intensification will take place, should be eliminated
from the by-law.

There is no rationale for limiting conversion to pre-1940 areas.
(At a meeting with the Planning Department, the question was asked
as to why conversion had not been allowed city-wide. There was
no answer except that it was politically feasible to leave the by-
law, passed in 1950, as is).

We recommend that conversion be opened up across the city, with
a MORATORIUM on Ward 3. (A complete freeze.)

The Sliding Scale Proposal

1940-1945 - number of houses with 1400 square feet - 612

1945-1950 - number of houses with 1400 square feet - 978

1951-1955 - number of houses with 1400 square feet - 971

With a conversion rate of 12% (as the study proposes), in the
first five years 14 units/year will be created outside the pre-1940
areas.

For the next ten years, 23 units/year will be created outside
the pre-1940 areas. It is ridiculous to assume that this small
number of units will remove the pressure from the pre-1940 areas as
stated in the City's Study.

4. PARKING

The Draft, while recognizing that there is a parking problem, has not offered any solutions.

Stack parking for conversions is unacceptable.

No decrease in the parking requirement per unit per conversion is acceptable since parking space is already at a premium.

Houses on small lots and in close proximity to each other (no side drives), should not be targeted for conversions, due to lack of parking space.

Holton Avenue North is an example of intensification out of control.

Front Yard Conversions

We want a by-law change to facilitate esthetic-quality control over front-yard conversions in order to maintain green space and preserve exterior facades. We do not want to create asphalt and concrete jungles in our Ward.

Presently, the Traffic Department has no interest nor control over esthetics. This lack of esthetic control has contributed to the deterioration of many neighbourhoods.

Paving of front yards for parking has caused run-off problems on Cedar Avenue, Balsam Avenue and Gage Avenue. Water rises to the top of street curbs during rain storms. Further front yard conversions could cause basement flooding unless new storm sewers are installed - at great cost to the taxpayer.

The attempt to solve the parking problem by allowing front-yard conversions destroys green space, exterior front facades, esthetics,

and burdens the taxpayer with unnecessary costs for sewers in the future.

Trees, ecologically necessary in an increasingly polluted environment, are being cut down to provide parking. They are not replaced.

5. PROBLEMS IN CONVERTING PRE-1940 HOUSING INTO MULTIPLE UNITS

1. One thermostat controls all units.
2. One hot-water tank/house.
3. One fuse box.
4. Outdated wiring and inadequate amperage.
5. Diameter of water pipes is adequate only for single family use. Inadequate water pressure for multiple unit use.
6. Lack of proper insulation and noise barriers between units.
7. Inadequate fire escapes, or lack of fire escapes altogether.
8. Lack of venting over stoves, in bathrooms and basements.
9. Changes in facades detract from neighbourhood appearance and change original character of the building.
10. Lack of necessary fire-safety equipment found in modern homes.
11. Storage space is at a premium. Many older homes lack closets on the first floor. Garbage is stored between houses, on balconies, on verandas.
12. Provision for on-site parking is a problem on small lots, with little frontage and inaccessible backyards.

SUMMARY:

None of these problems were addressed in the Study.

6. SOCIAL PROBLEMS

An area already having a 70% conversion rate, such as Ward 3, does not need more intensification. It is over-intensified.

- Parking is at a crisis point.
- There is a strain on infrastructures already (playgrounds, schools, sewers, roads . . .).
- Intensification will further decrease privacy.
- Increased population dictates a concomitant increase in crime and vandalism.

Absentee Landlords

City Hall, by turning a blind eye on illegal conversions, is aggravating the absentee landlord situation:

1. By-laws are not being enforced stringently.
2. Property standards by-laws are ignored.
3. Actions and charges are not being laid against bad landlords.
4. Inspectors put the onus on area residents to take action.

i.e. The complainants against 166 Wentworth Street South were told to hire their own lawyer to take action against the owner of that property.

5. City Hall does not verify statements made by landlords under oath with long-time area residents. Many landlords have lied. The City seems reluctant to take bad landlords to court.

i.e. 193 Prospect South. The Inspection Department informed

Lois Brown that the premises must be occupied before an Order to Comply can be issued.

80 Gage Avenue South - Helen Galan, owner of 78 Gage Avenue South, must provide a notarized document verifying that 80 Gage Avenue South was never a multiple unit dwelling to the City before the Building Department will begin legal action against 80 Gage Avenue South.

It is time that City Hall develops a plan of action to assist concerned area homeowners instead of blocking their efforts with excuses.

We recommend that stringent by-laws be instituted or enforced to make landlords actively responsible for:

- maintenance of grounds.
- removal of all debris from property.
- repair and maintenance of building interior and exterior.
- snow shovelling.
- maintenance of grounds.

Long-term residents welcome constructive change but do not condone destruction of neighbourhood ambience through poor planning.

RECOMMENDATIONS

We, the Citizens for Citizens make the following draft recommendations:

1. That a moratorium be placed on Ward 3 conversions.

Ward 3 has a 70% conversion rate. The houses targeted were built prior to July 25, 1940. They are not built to handle today's

needs with regard to plumbing, heat, hydro, parking, insulation, and noise. None will meet the demands of a multiple family unit in the 1990's.

The pre-1940 area is already saturated with conversions.

Affordable housing should be supplied through carefully planned infill and redevelopment - for example, of commercial strips and unused warehouses.

We strongly recommend a complete freeze on intensification in Ward 3.

2. We recommend that instead of a sliding scale of five years, conversion be opened up to the present day - 1990.

The 1940 areas has been discriminated against for the last 40 years.

We quote the Ministry of Housing, P. 20, "Restrictions on the age of dwelling and general locations where intensification will take place, should be eliminated from the by-law."

The sliding scale will not take enough pressure off the pre-1940 areas. Only an average of 20 units/year over a 15 year period will be created.

We recommend that you follow the policy as set by the Ministry and open up conversion to 1990 homes.

3. Minimum apartment size should not be dropped to 431 square feet. It should remain at the present 700 square feet.

Toronto had problems with bachelorette apartments and increased unit size to 700 square feet.

The Hamilton Housing Authority had a problem getting tenants for

its smaller units because they were too confined, too small.

Tenants spilled out onto roof tops and streets. Children had no place to play. Limited storage facilities caused clutter.

Inadequate space creates pressures on people. It creates social problems within the city and is unacceptable.

These examples reinforce our recommendation that the 700 square foot minimum size per unit be maintained.

4. We request that all City Hall inspectors be granted "Right of Entry". We request that the City become serious about the enforcement of the standards and by-laws and request the Planning and Development Department take all steps necessary to do so - be it by increasing staff or political direction to staff.
5. Standards for conversion should be upgraded. All single family homes converted to multiple units to have the following:
 1. Separate thermostats for each unit.
 2. Fuse boxes for each unit.
 3. Hydro, gas and water meters updated.
 4. Upgraded water pipes to handle the extra demands of multiple units.
 5. Water tanks must have the capacity to service the specified units adequately.
 6. Proper insulation and noise barriers between units.
 7. Fire escapes to be installed at the rear.
 8. Proper venting over stoves, and in bathrooms and basements.
 9. Electrical wiring and amperage upgraded to City standards. The City should consult with Hamilton Hydro to determine proper standards.

10. Changes in facades not to detract from neighbourhood appearance and not to change original character of the building.
 11. Necessary fire safety equipment installed to meet provincial code requirements.
 12. Adequate lot sizes such as those lots available on the mountain.
6. Landlords who convert illegally should pay for relocation of tenants to legal units. People who convert illegally are being financially rewarded and those who convert legally are being financially penalized. THIS IS BACKWARDS!!!

Those people who convert illegally should be penalized.

If the City cannot implement this, then it should ask the Province for its implementation.

We believe that future units, after the implementation of this law, will be safe and no young children will be pulled out of firetraps.

We want to create conversions that conform to and pass upgraded standards and upgraded building code by-laws.

7. Converted units must pay their fair share of taxes. Assessment and Building Departments must coordinate their departments in order to eliminate illegal conversions and assess dwellings at appropriate tax levels.
8. The owner or his agent must post his name, address and telephone number within the rental building.
9. We support legal conversions with a financial incentive for that landlord who converts but lives in the home. When the landlord moves out, the building must be deconverted or the new

owner must live in one of the units.

10. All owners converting a dwelling must be supplied with a set of criteria as a guideline to follow in making the alterations.
11. Emphasis should be placed on the redevelopment of vacant lots and infill.

The Study has single-mindedly focused on conversion and has not adequately explored infill and redevelopment as means of major intensification.

12. The standard of "affordable" should not be Toronto's. We recommend that Hamilton develop its own definition of "affordable".
13. Those arterial roads that lie within residential areas should be subject to municipal control and regulations.

The lack of street parking, incessant flow of traffic and proliferation of front yard parking have led to a decline in quality of life for those living on these roads. There is no data to substantiate the Study's contention that people who live on arterial roads are more tolerant of decline of greenery, and esthetics or of by-law infractions. Most endure rather than tolerate the excessive noise of arterial roads.

14. We suggest that environmental concerns be given serious consideration and priority in all plans and final decisions, i.e. preservation of greenery, controlling garbage and noise pollution.
15. The formation of an area citizens'/City Hall committee to review all applications for front yard conversions.

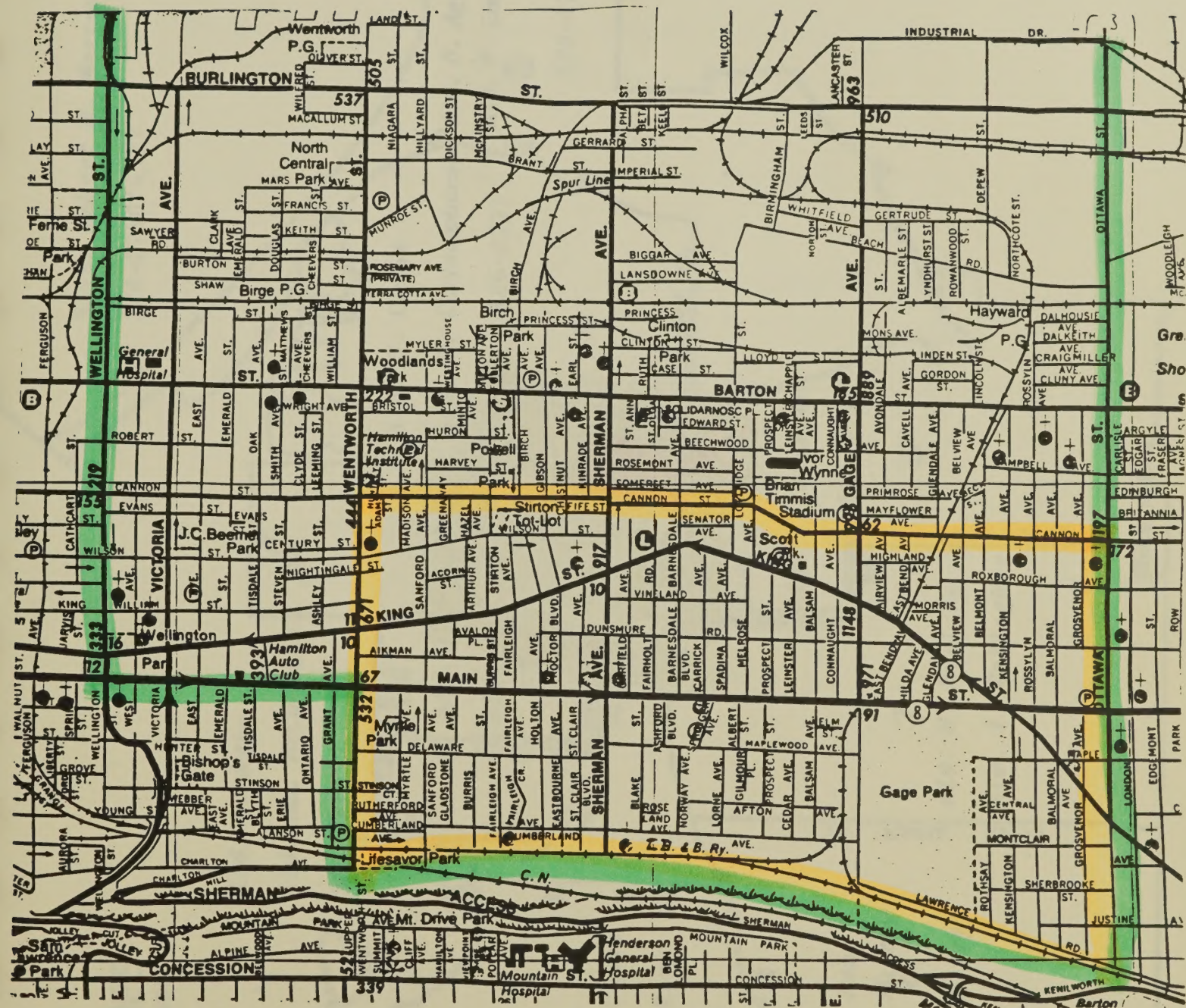
Increase application fees to cover the cost of administration.

Where front yards are utilized for parking, green space is lost. We want a by-law change to facilitate an esthetic quality control over front yard conversion to save green space. We do not want concrete or asphalt jungles in the lower city.

16. There should be no changes in the present parking regulations except to increase the number of spaces/unit. There should be coordination between the Building, Traffic and Planning Departments.
17. We recommend better upkeep of truck routes in order to keep trucks off crowded residential streets.
18. Committees at City Hall require a drastic review in order that committee members become more sensitive to community needs.

Members should serve a maximum of two years only. They should not sit on that committee again for at least six years.

19. We recommend that the City of Hamilton take a proactive stand on enforcement of its housing by-laws and follow Ottawa's example in hiring more inspectors to crack down on illegal conversions and abuses to its zoning bylaws.
20. We support the intent of Council that a "variety of housing styles, types and densities be available in all residential areas of the city . . ." (Background Report, P. 21, 2.1.8).
21. Provision should be made in new developments for innovative housing.

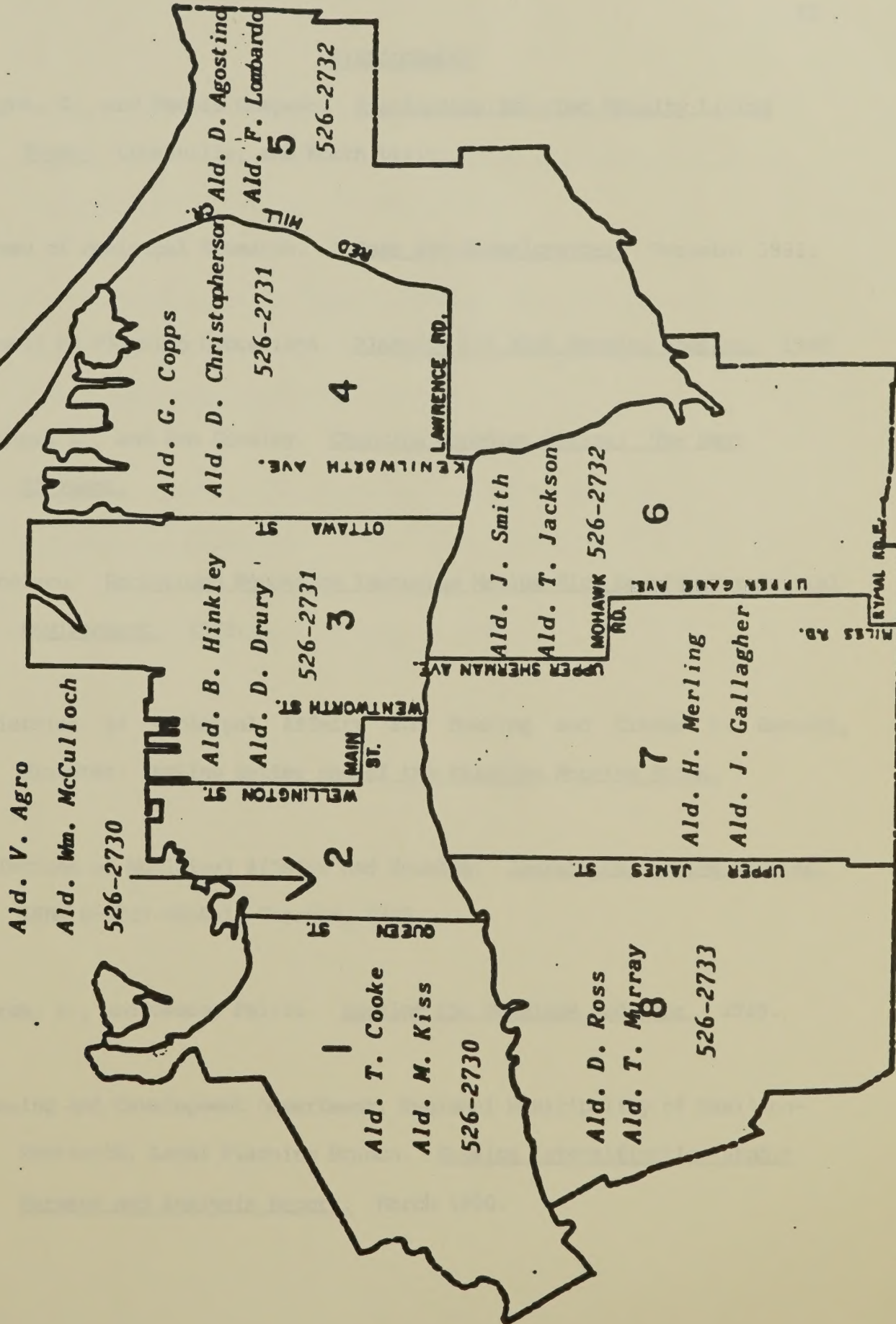


South-East Border

Ward 3 Boundary

**CITY OF HAMILTON
WARD BOUNDARIES
EFFECTIVE DECEMBER 1, 1985**

Mayor Robert M. Morrow
526-2790/4537



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